

RESTRICTIVE COVENANTS

THESE COVENANTS, LIMITATIONS, AND RESTRICTIONS ARE TO RUN WITH THE LAND AND SHALL BE BINDING ON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM UNTIL MARCH 1, 1999, AT WHICH TIME SAID COVENANTS, LIMITATIONS AND RESTRICTIONS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE TEN (10) YEAR PERIODS UNLESS BY A VOTE OF THE MAJORITY OF THE THEN OWNERS OF LOTS IN THIS SUBDIVISION IT IS AGREED TO CHANGE SAID COVENANTS IN WHOLE OR IN PART.

IF THE PARTIES HERETO OR ANY OF THEM OR THEIR HEIRS OR ASSIGNS SHALL VIOLATE OR ATTEMPTS TO VIOLATE ANY OF THE COVENANTS, LIMITATIONS OF RESTRICTIONS HEREIN, IT SHALL BE LAWFUL FOR ANY OTHER PERSON OR PERSONS OWNING ANY REAL ESTATE SITUATED IN THIS SUBDIVISION TO PROSECUTE ANY PROCEEDINGS AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANTS, LIMITATIONS OR RESTRICTIONS, AND EITHER TO PREVENT HIM OR THEM FROM SO DOING OR TO RECOVER DAMAGES OR OTHER DUES FOR SUCH VIOLATION.

INVALIDATION OF ANY ONE OF THESE COVENANTS, LIMITATIONS OR RESTRICTIONS BY JUDGEMENT OR COURT ORDER SHALL IN NO WISE AFFECT ANY OF THE OTHER PROVISIONS WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

- ALL NUMBERED LOTS TO BE FOR RESIDENTIAL USE ONLY AND ARE NOT TO BE RESUBDIVIDED INTO SMALL LOTS.
- THE MINIMUM GROUND FLOOR AREA FOR LOTS 129 THUR 151 AND 85 THROUGH 106 FOR ONE-STORY RESIDENCES, EXCLUSIVE OF OPEN PORCHES, GARAGES OR CARPORTS SHALL BE 1200 SQUARE FEET AND FOR TWO-STORY RESIDENCES THE MINIMUM GROUND FLOOR AREA, EXCLUSIVE OF OPEN PORCHES, GARAGES OR CARPORTS, SHALL BE 700 SQUARE FEET. THE REMAINING, 152 THUR 173 AND LOTS 175 THUR 191, FOR ONE STORY RESIDENCES, EXCLUSIVE OF OPEN PORCHES GARAGES OR CARPORTS SHALL BE 1100 SQUARE FEET AND FOR TWO-STORY RESIDENCES THE MINIMUM GROUND FLOOR AREA, EXCLUSIVE OF OPEN PORCHES, GARAGE OR CARPORTS, SHALL BE 700 SQUARE FEET.
- NO NOXIOUS OR OFFENSIVE TRADE OR ACTIVITY SHALL BE CARRIED ON UPON ANY LOT IN THIS SUBDIVISION NOR SHALL ANYTHING BE DONE THEREON WHICH MAY BE OR BECOME AN ANNOYANCE OR NUISANCE TO THE NEIGHBORHOOD.
- THERE IS A PERPETUAL EASEMENTS AS SHOWN ON THE RECORDED PLAN OF SUBDIVISION RESERVED FOR UTILITY INSTALLATION AND MAINTENANCE AND DRAINAGE.
- IRON PIN ARE SET ON ALL LOT CORNERS EXCEPT FRONT CORNERS WHERE CHISEL MARKS ARE MADE ON CURBS.
- THE PLATTED PROPERTY IS SUBJECT TO THOSE COVENANTS, RESTRICTIONS AND EASEMENTS AS SET FORTH IN DOCUMENT FILED OF RECORD IN BOOK _____, PAGE _____, AND AS MAY BE OTHERWISE AMENDED FROM TIME TO TIME, IN THE OFFICE OF THE CHANCERY CLERK OF DESOTO COUNTY, MISSISSIPPI, TO WHICH DOCUMENT REFERENCE IS HEREBY MADE. ANY PROPERTY OWNER SHALL BE BOUND BY THE TERMS OF SAID DOCUMENT INCLUDING, WITHOUT LIMITATION, THE OBLIGATION TO BE A MEMBER OF THE PATIO HOMES ASSOCIATION.
- UTILITY BUILDING SHALL BE ALLOWED BUT MUST CONFORM TO THE MAIN STRUCTURE AS TO TYPE OF MATERIAL STYLE AND COLOR. THE MAXIMUM SIZE AND LOCATION OF THE UTILITY BUILDING MAY BE LIMITED BY THE PATIO HOMES ASSOCIATION.
- NO CHAIN LINK OR ANY TYPE FENCE SHALL BE PERMITTED ON ANY LOT FROM THE STREET PROPERTY LINE TO THE BUILDING LINE.

LEGAL DESCRIPTION
GREENBRIAR LAKES
PATIO HOMES NO. 4

Begin at the accepted southeast corner of the southwest quarter of Section 30, Township 1 South, Range 7 West; thence North 36 degrees 44 minutes 34 seconds West 2010.27 feet to a point at the centerline intersection of Guthrie Drive and Hugh Lane, said point being also the True Point of Beginning for the herein described tract; thence northwestwardly 48.65 feet along a curve to the right having an internal radius of 311.85 feet (chord = 48.61, chord bearing = North 46 degrees 27 minutes 42 seconds West) with the centerline of Guthrie Drive to a point of tangency; thence North 41 degrees 59 minutes 15 seconds West 254.46 feet with said centerline to a point of curvature; thence continue northwestwardly 329.40 feet along a curve to the left having an external radius of 394.27 feet (chord = 319.90, chord bearing = North 65 degrees 55 minutes 19 seconds West) with said centerline to a point; thence North 00 degrees 08 minutes 37 seconds East 25.00 feet to a point in the northerly line of Guthrie Drive; thence eastwardly 8.99 feet along a curve to the right having an external radius of 419.27 feet (chord = 8.99, chord bearing = South 89 degrees 14 minutes 32 seconds East) with the northerly line of said drive to a point; thence North 21 degrees 36 minutes 18 seconds East 422.02 feet; thence North 38 degrees 12 minutes 16 seconds East 263.15 feet; thence North 38 degrees 11 minutes 30 seconds East 15.00 feet; thence South 51 degrees 47 minutes 44 seconds East 120.00 feet to a point in the westerly line of Overlook Drive; thence North 38 degrees 12 minutes 16 seconds East 58.36 feet with the westerly line of Overlook Drive to a point; thence South 51 degrees 47 minutes 44 seconds East 130.00 feet; thence North 38 degrees 12 minutes 16 seconds East 48.04 feet; thence South 89 degrees 55 minutes 13 seconds East 80.00 feet; thence South 26 degrees 35 minutes 36 seconds East 38.08 feet; thence South 77 degrees 59 minutes 43 seconds East 186.06 feet to a point on the centerline extension of Hugh Lane; thence South 12 degrees 00 minutes 17 seconds West 431.87 feet along the centerline of Hugh Lane to a point of curvature to the right having a radius of 373.69 feet with a length of 176.64 feet; thence South 39 degrees 04 minutes 24 seconds West 341.05 feet to the point of beginning containing 11.72 acres, more or less.

DATE: APRIL 20, 1989

Declaration of Covenants, Conditions
+ Restrictions
Assignment of this Instrument Recorded in
Warrant Book
No. 217 Page 649
This the 17th day of August 1989
W. Davis by Clerk

OWNER'S CERTIFICATE

I, HAL GUTHRIE authorized representative of the owner of the property, hereby adopt this as my plan of subdivision and dedicate the right-of-way for the roads as shown on the plat of the subdivision to the public use forever and reserve for the public utilities the utility easements shown on the plat. I certify that I am the owner in fee simple of the property and that no taxes have become due and payable. This the 15 day of Aug, 1989.

Hal W. Guthrie
Signature of Owner

NOTARY'S CERTIFICATE

State of MISSISSIPPI, County of Desoto.

This day personally appeared before me the undersigned authority in and for said County and State, HAL GUTHRIE, who acknowledged that he/she signed and delivered the foregoing plat for the purpose therein mentioned. Given under my hand and official seal of office this the 15th day of August, 1989.
My commission expires: 4-7-93

Mary W. Bennett
Notary Public

Approved by the Southaven Planning Commission this the 27th day of MARCH, 1989.

John D. Sordere
CHAIRMAN

E. Daniel Plummer
SECRETARY

STATE OF MISSISSIPPI
COUNTY OF Desoto

I hereby certify that the subdivision plat shown hereon was filed for record in my office at 12:30 o'clock P. M., on the 17th day of August, 1989, and was immediately entered upon the proper indexes and duly recorded in plat book 34 at Page 60.

W. Davis by Clerk
CHANCERY COURT CLERK

CERTIFICATE OF ENGINEER

This is to certify that I have drawn this subdivision shown hereon and the plat of same is accurately drawn from information from a ground survey by me.

Ben W. Smith
Ben W. Smith
ENGINEER
MISS. AND CO. 2330
PE 5930
LS. 1979
STATE OF MISSISSIPPI

APPROVED BY THE MAYOR AND BOARD OF ALDERMEN OF THE CITY OF SOUTHAVEN, MISSISSIPPI, THIS THE 17th DAY OF May, 1989.

ATTEST:

M. A. Carter
MAYOR OF SOUTHAVEN
Marilyn Sprinkle
CITY CLERK OF SOUTHAVEN

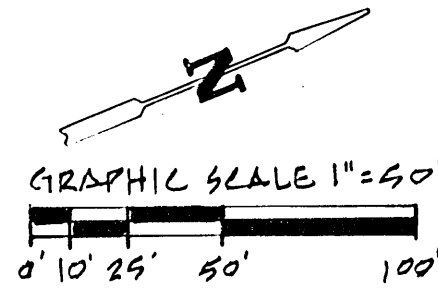
GREENBRIAR LAKES SUBDIVISION
PATIO HOMES NO. 4
SECTION 30, TOWNSHIP 1 S., RANGE 7 W.
SOUTHAVEN, MISSISSIPPI
11.72 ACRES, 63 LOTS, ZONED R-3 (PUD)

OWNER: HAL GUTHRIE

PREPARED BY SMITH ENGINEERING CO., INC.
928 GOODMAN ROAD
SOUTHAVEN, MISS. 38671

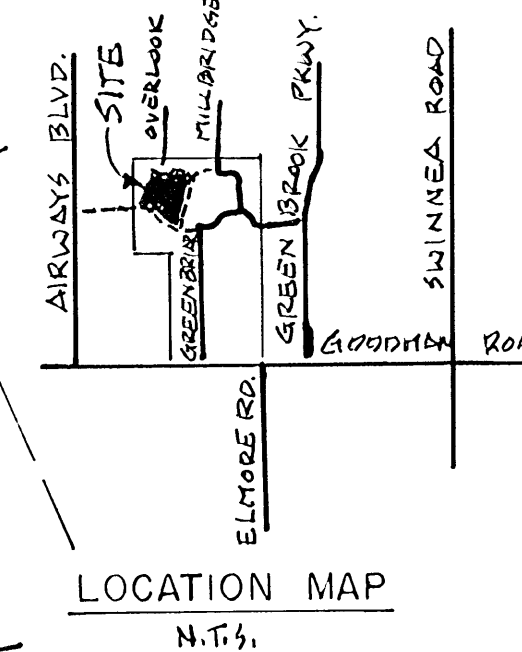
DATE: APRIL 1989

SHEET 1 OF 2



193
SPORTS PLEX
(R-2)

LOT 192 SEC'D GREENBRIAR (PUBLIC PARK)



CURVE DATA	
#1	R = 311.85 Δ = 08°56'21" T = 24.37' Ch = 48.61' BEH = N46°27'42"W L = 48.65'
#2	R = 394.27' Δ = 47°52'08" T = 175.00' Ch = 319.90' BEH = N65°55'19"W L = 329.40'
#3	R = 548.40' Δ = 16°35'58" T = 80.00' Ch = 158.32' L = 158.88'
#4	R = 373.89' Δ = 27°04'07" T = 90.00' Ch = 175.00' BEH = S25°32'20"W L = 176.64'

CLOSURE DATA:
-0.0043' LAT.
0.0089' DEP
0.0098' EOC.
1:301292 PREC.

NOTE: Iron pins set on all rear lot corners.
Curb chisel marks on front lot corners.

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DATE: APRIL 1989
SHEET 2 OF 2